

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

THE HIPSAVER COMPANY, INC.,

Plaintiff / Counterclaim Defendant,

v

J.T. POSEY COMPANY,

Defendant / Counterclaim Plaintiff.

Civil Action No. 05-10917 PBS

**REVISED VOIR DIRE QUESTIONS FOR JURY
[PROPOSED BY PLAINTIFF, HIPSAVER COMPANY, INC.]**

The plaintiff, HipSaver Company, Inc., respectfully requests that the following questions be asked of the potential jurors as a group during live voir dire:

1. Do you know what a hip protector is?
2. If so, what is your experience with hip protectors?
3. Have you, a relative, or a close friend ever been employed by a distributor of health care products, such as Alimed, Kindred Health Systems, McKesson, Cardinal Health, Medline, Gulf South, or any others?
4. Have you, a relative, or a close friend ever been employed by a health care facility, such as Manorcare, Life Care, MedLine, Sun Health, the Veterans Administration health care system, or any other long-term care facility or hospital?

5. Do you know any of the witnesses who are likely to be called in this case?¹

6. Have you had any dealings with the law firms representing the parties in this case?

If any potential juror answers one or more of these questions in the affirmative, HipSaver requests that he or she be called to the sidebar to explain the basis for the affirmative answer, and be asked follow up questions at the discretion of the Court.

Respectfully submitted
The HipSaver Company, Inc.
By its Attorneys,

/s/ Courtney M. Quish

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CERTIFICATE OF SERVICE

I certify that this document has been filed through the Electronic Case Filing System of the United States District Court for the District of Massachusetts and will be served electronically by the court to the Registered Participants identified in the Notice of Electronic filing.

/s/ Courtney M. Quish

Courtney M. Quish

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¹ A list of witnesses whom the parties expect to call in this case is attached below.

NAMES AND ADDRESSES OF WITNESSES

Witnesses whom the parties expect to call at trial:

By The HipSaver Company, Inc.:

Mr. Edward Goodwin

Fact witness; co-owner and President of The HipSaver Company, Inc.

Mr. Ernest Posey

Fact witness; owner and President of The Posey Company

Dr. Roy J. Epstein

Expert witness regarding damages

Dr. Wilson C. Hayes

Expert witness regarding hip injury, biomechanics, and biomechanical testing

By The Posey Company, Inc.:

Mr. Vernon Armstrong

Fact witness; President and CEO of Garwood Laboratories

Ms. Helen Brogna

Fact witness; co-owner and Executive Vice President of The HipSaver Company, Inc.

Dr. Jeffrey Burl

Fact witness; Researcher and Author of Compliance study

Mr. Roy Carr

Fact witness; Product Development for The Posey Company

Mr. Rick Clemons

Fact witness, Garwood Laboratories

Dr. Edward Ebramzadeh

Expert witness regarding hip injury, biomechanics, and biomechanical testing

Mr. William Flower

Fact Witness; Garwood Laboratories, Quality Manager

Mr. Philip Green

Mr. Creighton Hoffman

Expert witnesses regarding damages

Mr. Dominic Hunter

Fact witness; Garwood Laboratories, Laboratory Technician

Mr. Charles Kline

Fact witness; Engineer involved at least in the 2001 Garwood project

Ms. Victoria Lewis

Fact witness; Product Manager for The Posey Company

Mr. Charles Nail

Fact witness; Controller for The Posey Company

Ms. Leann Powers,

Fact witness; Marketing and Communications Director for The Posey Company in at least 2001

Mr. Lee Rash,

Fact witness; Manager of New Product Development for the Posey Company from at least as early as 2001; Director of Materials for the Posey Company from at least as early as 2005

Mr. Gary Reich

Expert witness regarding marketing

Mr. Tim Sturkie

Fact witness; Garwood Laboratories, Laboratory Manager

Mr. Ken Tyler

Fact witness; CEO/President of TYCORPS

Mr. Jeff Yates

Fact witness; Director of Marketing for The Posey Company

A representative of Rogers Corporation

Fact witness; Rogers Corporation